

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,
Plaintiff,

v.

THE UNKNOWN HEIRS, DEVISEES,
SUCCESSORS IN INTEREST AND
CLAIMANTS TO THE ESTATE OF
ELIZABETH M. CAHILL; THE
ESTATE OF ELIZABETH M. CAHILL,
Deceased; DAVID V. WILLIAMS;
KELLY C. KLAUS; KENNETH F. KLAUS;
LINDA SUE ELLISON; PATRICIA M.
WILSON; and CAROLE A. KEMNITZ,
Defendants.

No. CV-05-74-FVS

JUDGMENT AND DECREE OF
FORECLOSURE

THIS MATTER came before the Court pursuant to the Plaintiffs' Application for Judgment and Decree of Foreclosure, Ct. Rec. 15. Since the Court previously entered an order of default as to the Defendants, accordingly,

IT IS HEREBY ORDERED:

1. Plaintiff is awarded judgment against THE ESTATE OF ELIZABETH M. CAHILL, Deceased in the amount of \$100,725.44 (\$75,496.80 principal and \$3,733.97 interest accrued through August 20, 2004, plus \$21,494.67 administrative fees and interest credit subsidy); and interest to accrue at the rate of \$14.90959 per day from and after August 20, 2004, to the date of judgment, and interest

1 from the date of judgment at the legal rate until paid in full, for
2 costs of suit, including the filing fee allowed pursuant to 28 U.S.C
3 § 2412(a)(2), and other proper relief.

4 2. The debt upon which this judgment is based is secured and
5 perfected by A real estate deed of trust recorded on January 15,
6 1998, under Auditor's File No. 4178825, Official Records of Spokane
7 County, Washington.

8 3. The foregoing real estate mortgage covers the following
9 described property situated in Spokane County, State of Washington:

10 REAL PROPERTY

11 The North Half of Lots 1 and 2 and the North 20
12 feet of Lot 3, Block 12, Keuhne's Addition to
13 Fairfield, according to Plat Recorded in Volume
"B" of Plats, Page 77, in Spokane County,
Washington.

14 APN 42241.2501
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16 4. Said real estate mortgage, which constitutes a first and
17 prior lien upon the property described therein, is hereby foreclosed
18 and defendants THE UNKNOWN HEIRS, DEVISEES, SUCCESSORS IN INTEREST
19 AND CLAIMANTS TO THE ESTATE OF ELIZABETH M. CAHILL; THE ESTATE OF
20 ELIZABETH M. CAHILL, Deceased; DAVID V. WILLIAMS; KELLY C. KLAUS;
21 KENNETH F. KLAUS; LINDA SUE ELLISON; PATRICIA M. WILSON; and CAROLE
22 A. KEMNITZ and all persons claiming by, through or under them are
23 forever barred and foreclosed from asserting any right, title, or
24 interest in and to said property, except for the statutory right of
25 redemption allowed by the laws of the State of Washington, and said
26 property is hereby ordered sold in the manner provided by law with

1 the proceeds of such sale to be applied to the expenses thereof, and
2 then in satisfaction of the sums adjudged to be due plaintiff herein.

3 4. Any party to this suit may become a purchaser at such sale.

4 5. The plaintiff shall not have a deficiency judgment in the
5 event the sum received from the sale is insufficient to pay the
6 judgment in full.

7 6. Plaintiff's Motion for Default Judgment, **Ct. Rec. 15**, is
8 **GRANTED. Ct. Rec. 12 is MOOT.**

9 **IT IS SO ORDERED.** The District Court Executive is hereby
10 directed to enter this order and furnish copies to counsel.

11 **DATED** this 8th day of August, 2005.

12
13 s/ Fred Van Sickle
Fred Van Sickle
14 United States District Judge
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